

**TEXAS SCHOOL FOR THE DEAF**

**TERMINATION OF CONTRACT:  
RESIGNATION**

**DFE**

RESIGNATION  
WITHOUT CONSENT  
(UNILATERAL  
RESIGNATION)

An employee under a probationary or a term contract for the following school year may resign their employment with the School without penalty by submitting a written resignation via email or letter to the Superintendent not later than the 45th day before the first day of instruction of the following school year. A prepaid certified or registered letter of resignation shall be considered timely submitted if mailed within the required timeframe.

**Education Code 21.105(a), .160(a), .210(a)**

RESIGNATION WITH  
CONSENT

A contractual employee may resign with the consent of the Superintendent at any other mutually agreeable time.

In determining whether to consent to a resignation filed later than the 45<sup>th</sup> before the first day of instruction of the following school year, the Superintendent shall consider the impact on and the potential disruption to student services and programs and the impact to the School's budget, if any.

**Education Code 21.105(b), .160(b), .210(b)**

SANCTIONS FOR  
ABANDONMENT OF  
CONTRACT

The State Board of Educator Certification (SBEC) may, upon receiving a complaint filed by the School, impose sanctions against an employee who is employed under a contract for the following school year and resigns, fails to meet the resignation deadline without good cause or does not obtain consent to resign.

**Education Code 21.105, 21.160, 21.210**

NOTICE TO SBEC

The Superintendent shall promptly notify in writing the State Board for Educator Certification (SBEC) by filing a report with the Executive Director of SBEC within seven calendar days of the date the Superintendent first obtains knowledge of information indicating conduct listed at Policy DF (LEGAL). Before an employee's resignation is accepted in such a circumstance, the Superintendent shall inform the employee in writing that a report will be made to SBEC that may result in sanctions against the employee's certificate. The Superintendent shall notify the Board prior to filing a report of a resignation with SBEC.

**19 TAC 249.14**

INVESTIGATION

The Superintendent shall complete an investigation when evidence exists that the employee may have abused or otherwise committed an unlawful act, was involved in a romantic relationship with a student or minor, or solicited or engaged in sexual contact with a student or minor regardless of whether or not the employee resigned before the completion of the investigation.

**Education Code 21.006(b-1); 19 TAC 249.14(d)(3)(C)**

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REPORT BY PRINCIPAL Principals must notify the Superintendent not later than 7 business days after the date of an employee's resignation following an alleged incident of misconduct.

**Education Code 21.006(b-2)**

WITHDRAWAL OF RESIGNATION Once submitted, the resignation of an employee may not be withdrawn by the employee without the written consent of the Superintendent.

**Fantroy v. Dallas Indep. Sch. Dist., Tex. Comm'r of Educ. Decision. No. 034-R9-0206 (Mar. 5, 2009); Garcia v. Miles Indep. Sch. Dist., Tex. Comm'r of Educ. Decision No. 055-RI-503 (Nov. 30, 2006)**

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